



EV 130 844 357 US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Ben Byrd  
Serial No : 09/920,707  
Filed : August 2, 2001  
For : Shoe Sole With Sizing Indicators  
Examiner : Marie D. Patterson  
Art Unit : 3728

RECEIVED  
FEB 25 2003  
TECHNOLOGY CENTER R3700

Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT AND RESPONSE PURSUANT TO 37 CFR § 1.111

Dear Sir:

## AMENDMENTS

Please amend the above-identified application as follows:

IN THE CLAIMS

Please re-write claims 1, 2, 4, 7, 9, 10, 11, 12, 14, 15, 17, 22, 23, 24, 25, 27, 28, 32, 33, and 34, as follows:

1. (Amended) A shoe for determining a proper numerical shoe size for a person's foot, the foot having a heel with a rear margin and toes with a forward margin, comprising:

- an outsole having a heel portion, a forward portion, a length, and a width;
- a heel placement indicator positioned on the heel portion; and
- a plurality of shoe size indicators located on at least a portion of the forward portion, each of the plurality of shoe size indicators located a distance from the heel placement indicator along the length of the outsole corresponding to a different numerical shoe size and labeled with the corresponding numerical shoe size;